

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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FARAH JEAN FRANCOIS,

Case No.: 1:22-cv-4447-JSR

Plaintiff,

-against-

**SPARTAN AUTO GROUP LLC d/b/a
VICTORY MITSUBISHI,
STAVROS ORSARIS,
YESSICA VALLEJO, and
DAVID PEREZ**

Defendants.

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DECLARATION OF SUSAN SHIN

SUSAN SHIN, an attorney duly admitted to practice in the United States District Court for the Southern District of New York, declares as true under penalty of perjury pursuant to 28 U.S.C. § 1746 that:

1. I am an attorney licensed to practice in the State of New York, and I am admitted to practice in the United States District Court for the Southern and Eastern Districts of New York and the United States Court of Appeals for the Second Circuit.

2. I am the Legal Director of New Economy Project. New Economy Project is an economic justice resource and advocacy center based in New York City. For nearly two decades, we have dedicated significant resources to fighting and redressing abusive debt collection practices, including due process violations. We have brought impact litigation, operated a legal assistance hotline, authored reports, led advocacy coalitions, spoken at numerous national, state, and local forums, and successfully advocated for national, state, and local policy reforms.

3. Since 2005, New Economy Project has operated the NYC Financial Justice Hotline, through which we provide free legal advice, assistance, and representation to low-income New York City residents aggrieved by abusive debt collection practices and other financial justice issues.

4. As Legal Director at New Economy Project, I bring impact litigation on behalf of low-income New Yorkers aggrieved by unfair financial practices; supervise New Economy Project's NYC Financial Justice Hotline; and provide strategic support to coalitions and community groups on economic justice campaigns. I have brought litigation with co-counsel in federal court under the Fair Debt Collection Practices Act and other consumer protection and civil rights statutes, including *Sykes v. Mel S. Harris and Associates LLC*, a civil RICO class action lawsuit that settled in 2015 for \$59 million. I was a Skadden Fellow at The Legal Aid Society in New York City and am a 2006 graduate of New York University School of Law, where I was an Arthur Garfield Hays Civil Liberties Fellow.

5. In the Southern District of New York I was previously awarded fees three times, at a rate of \$550/hour in *Robinson v. New York City Transit Authority*, 1:19-cv-1404 (S.D.N.Y.) (fees awarded in September 2024), at a rate of \$500/hour in *Sanders v. Houslanger and Assoc.*, 1:17-cv-08985 (S.D.N.Y.) (fees awarded in February 2020), and at a rate of \$400/hour *Sykes v. Mel S. Harris and Assoc., LLC*, 1:09-cv-08486 (S.D.N.Y.) (fees awarded in May 2016). All three cases were certified class actions in which the Court employed a lodestar cross-check to approve a fee award as fair, reasonable, and appropriate. I was an attorney with 18, 14, and 10 years' experience at the culmination of *Robinson*, *Sanders*, and *Sykes*, respectively.

6. I have received numerous awards for my work on behalf of low-income New Yorkers, including the Legal Services Award (New York City Bar Association, 2022); Trial

Lawyer of the Year Finalist (Public Justice, 2017); Rising Star Award (Partners Council of the National Consumer Law Center, 2017); CLARO Program award for outstanding service and dedication to helping New Yorkers in need of legal assistance (Civil Legal Advice and Referral Office, 2017); and Consumer Advocate Award (National Association of Consumer Advocates, 2012).

7. I regularly serve as a consumer law expert at CLARO clinic sessions, where I supervise volunteer attorneys assisting *pro se* defendants in debt collection lawsuits. I co-authored a report examining due process issues in abusive debt collection lawsuits filed in the New York Courts: *The Debt Collection Racket in New York: How the Industry Violates Due Process and Perpetuates Economic Inequality* (2013). I have testified about abusive debt collection practices and the need for reforms before numerous government agencies, including the Consumer Financial Protection Bureau, and legislative bodies. I have conducted Continuing Legal Education workshops on the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, and defending debt collection lawsuits. I previously served as a member of the Civil Court Committee of the Association of the Bar of the City of New York and as an appointee to the New York State Department of Financial Services' State Charter Advisory Board. I have co-authored amicus briefs pertaining to debt collection and other consumer protection issues, including *Berman v. City of New York*, 13CV598 (2d. Cir.) and *Otoe-Missouria v. NYS Department of Financial Services*, 13-3769 (2d Cir.).

8. At New Economy Project, as an attorney with more than 18 years of experience, my hourly rate is \$600.

9. I have known Emma Catherine since 2016. I was her direct supervisor when she was a law student intern at New Economy Project in 2016. I directly supervised her writing of research memorandums and other legal work product. The quality of her work was excellent.

10. I continued to know Ms. Catherine's work as an attorney while she worked at The Law Office of Ahmad Keshavarz, beginning in 2017. Ms. Catherine is an outstanding attorney in all respects.

11. Since 2017, I have conferred with Ms. Catherine regarding consumer protection legal issues on a regular basis. I have also met with her on a regular basis during bi-monthly New York Consumer Advocates Task Force meetings. During these meetings, consumer attorneys, primarily from legal services organizations throughout New York City and State, meet to discuss legal services practices, policy advocacy, and litigation aimed at helping low-income New Yorkers harmed by unfair business practices. Ms. Catherine has regularly spoken at these meetings regarding developments in consumer law, including her and Ahmad Keshavarz's consumer litigation.

12. I have co-counseled with Ms. Catherine and Mr. Keshavarz on *Crespo v. Gutman, Mintz, Baker & Sonnenfeldt, LLP*, 1:22-cv-06599 (S.D.N.Y.). We discussed legal strategies in the case, and I reviewed her drafts of the complaint and other filings with the Court, as well as discovery requests and responses.

13. I am generally familiar with the hourly rates charged by attorneys practicing before the United States District Court for the Southern District of New York.

14. I am familiar with the nature of the litigation at issue in this case and I am aware of the success obtained by counsel for plaintiff Farah Jean Francois in this matter.

15. Based on my education, training, and experience, it is my opinion that a reasonable rate for Ms. Catherine's time in this case is \$350/hour. This rate is customary in the Southern District of New York for an attorney with her level of experience, reputation, and ability, considering the nature of the controversy, the time limitations imposed, and the results obtained in this case.

Dated: December 23, 2024

New York, NY

/s/ Susan Shin

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